

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Sr. No.106

CWP-24302-2015 (O&M)

Decided on : 28.03.2016

Const. Tarshem and another

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

To be referred to Reporters or not?

Whether the judgment should be reported in the digest?

Present: Mr.G.S.Gopera, Advocate, for the petitioners.

DEEPAK SIBAL, J.

CM-3661-2016

Through the present application the applicants/petitioners seek to place on record the enquiry report dated 04.07.2013 (Annexure P-8).

Allowed as prayed for.

CM stands disposed of.

CWP-24302-2015

Through the present petition, the petitioners who were serving the Haryana Police as Constables, seek quashing of order dated 21.05.2014 (Annexure P-4), passed by the Commandant, 2nd IRB, Bhondsi, Gurgaon, through which punishment of stoppage of two annual increments with permanent effect has been imposed upon both the

petitioners.

After hearing counsel for the petitioners and having perused the record with his able assistance, the facts which have emerged, are that the petitioners are Constables in 'A' company of the Indian Reserve Battalion of the Haryana Police. They were deputed for Vidhan Sabha election duties to be held in the State of Tripura. On reaching the State of Tripura on 31.01.2013, the ammunition allocated to them was found missing which were later recovered from personnel of the 'D' company. For the aforesaid act of negligence, they were subjected to a regular departmental inquiry in which they were found guilty. On the basis of the inquiry report, the punishing authority imposed upon them the punishment of stoppage of two annual increments with permanent effect. The petitioners filed an appeal against the same which was also dismissed. The aforesaid punishment of stoppage of two annual increments with permanent effect is challenged through the present petition.

Upon hearing counsel for the petitioners, I am not inclined to interfere with the punishment meted out to the petitioners. The petitioners being members of the disciplinary force are enjoined to be alert at all times especially with regard to the handling of arms and ammunition etc. which are allocated to them. Misplacement of the ammunition allocated to them irrespective of the period of time for which the same was untraceable, for which they were found guilty in a regular departmental inquiry, is an act which cannot be allowed to go unpunished.

In view of the above, the writ petition is dismissed.

28.03.2016
shamsher

[DEEPAK SIBAL]
JUDGE